

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER YAHIRO 1
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/574482</div>
INTERNATIONAL APPLICATION NO. PCT/JP2004/014979	INTERNATIONAL FILING DATE October 4, 2004	PRIORITY CLAIMED October 2, 2003
TITLE OF INVENTION NEUTRALIZING AGENT FOR VACUOLATING TOXIN		
APPLICANT(S) FOR DO/EO/US Kinnosuke YAHIRO et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) as soon as the application is in order for such purpose and the applicable requirements of 35 U.S.C. 371(c) have been complied with. 4. <input type="checkbox"/> The US has been elected (Art 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 16. below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable sequence form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Courtesy copy of the first page of the International Publication (WO 2005/032542 A1). <input checked="" type="checkbox"/> Formal drawings, 7 sheets, Figures 1-7. <input checked="" type="checkbox"/> Courtesy Copy of the International Search Report. <input checked="" type="checkbox"/> The application is (or will be) assigned to: <ol style="list-style-type: none"> 1) Asahi Breweries, Ltd. whose address is 7-1, Kyobashi 3-chome, Chuo-ku, Tokyo 1040031, Japan 2) Toshiya HIRAYAMA whose address is 1-1-16, Daiyarando, Nagasaki-shi, Nagasaki 8500963, Japan 3) Masatoshi NODA whose address is 3-6-14, Utsukushigaoka, Yotsukaido-shi, Chiba 2840045, Japan 		

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21. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/> a) BASIC NATIONAL FEE (37 CFR 1.492(a)).....\$300.00 <input checked="" type="checkbox"/> b) SEARCH FEE (37 CFR 1.492(b)) <input type="checkbox"/> US was International Searching Authority.....\$100.00 <input checked="" type="checkbox"/> Other ISR provided to USPTO.....\$400.00 <input type="checkbox"/> All other situations.....\$500.00 <input checked="" type="checkbox"/> c) EXAMINATION FEE (37 CFR 1.492 (c)) <input type="checkbox"/> IPEA/US gave wholly favorable IPER.....\$100.00 <input checked="" type="checkbox"/> All other situations.....\$200.00 <div style="text-align: right; margin-top: 10px;">TOTAL OF ABOVE CALCULATIONS :</div>				<div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center; font-size: 24px; font-weight: bold;">\$900.00</div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
TOTAL SHEETS	EXTRA SHEETS	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE (1.492(g))		
23 - 100	/50		X \$250.00		
CLAIMS		Number Filed	Number Extra	Rate (1.492 (d-f))	
Total Claims		15 - 20 =		X \$ 50.00	\$
Independent Claims		1 - 3 =		X \$200.00	\$
Multiple Dependent Claims (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$900.00	
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.				\$	
SUBTOTAL =				\$900.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$900.00	
				Amount to be:	\$
				refunded	
				charged	\$

Payment Method (check one only)

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Credit Card Payment Form (PTO-2038), authorizing payment in the amount of \$900.00 is attached.

c. ☐ Please charge my Deposit Account No. **02-4035** in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

Handling of Fee Deficiencies (check one only)

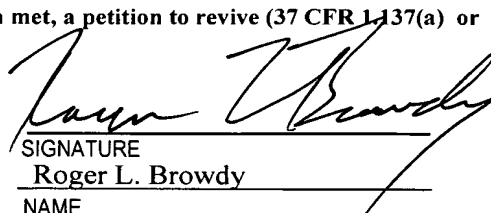
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-4035**. A duplicate copy of this sheet is enclosed.

☐ If a deficiency exists in the basic national fee set by 37 CFR 1.492(a), please charge it to Deposit Account **02-4035**. At this time, no authorization is given to charge any other fees.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the application to pending status.

Direct all correspondence to the address associated with
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 SIGNATURE
 Roger L. Browdy
 NAME
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RLB:lmh